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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Letter dated 26 February 2001 from the Permanent Representative of Azerbaijan to the United Nations Office at Geneva addressed to the secretariat of the Commission on Human Rights

I have the honour to transmit herewith a statement by the Milli Majlis (Parliament) of the Republic of Azerbaijan of 2 February 2001.

I would be grateful if you could circulate the present letter and the attached statement* as an official document of the fifty-seventh session of the Commission on Human Rights under item 9 of the provisional agenda.

(Signed): Isfandiyar VAHABZADA

Ambassador
Permanent Representative

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* Reproduced as received, in English only.

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Annex

Statement
of the Milli Majlis of the Republic of Azerbaijan

The Milli Majlis of the Republic of Azerbaijan expresses its deep concern at the adoption by the Senate of France of the law on recognition of the so-called «Armenian genocide» and considers the Senate's attempt to judge the events, claimed to happen 85 years ago, as a wrong step, which can cause a new problems in the Caucasus. The world community is aware of the fact that the Armenian nationalists try to rely on their falsified image of «long-suffering and tortured people», subjected allegedly to genocide, in order to veil their policy of hostility and genocide against the Turkic nations, which they have been conducting for the period of more than one hundred years, and to justify their territorial claims and aggressive wars towards the neighboring nations.

Unfortunately, the Senate of France guided in its activities by the democratic principles, falling under the influence of the Armenian diaspora, has lost its feelings of objectivity and adopted unfair law showing indifference to the historic realities. Political evaluation given after a long period of time to the so-called genocide, allegedly committed against Armenians during the World War I, was not a simple issue to be left on paper as some members of the Senate of France claim it. Recognition of the so-called «Armenian genocide» by some world and European States, including France, causes a serious concern in Turkey and the region of Caucasus, creates grounds for the aggravation of relations between the nations and for new territorial claims by Armenia. It is not surprising that the Republic of Armenia, violating the norms of international law and basic principles of the OSCE, refuses to recognize the territorial integrity of the Republic of Azerbaijan.

Scientists, including French ones, adherent to scientific facts, argued long ago that no any Armenian genocide had taken place in history. In fact, starting from the end of XIX century the Armenian nationalists under the illegal and legal patronage of the Russian Tsar, conducting mass acts of terror and massacres on the territory of nowadays Turkish Republic and Caucasus, brutally killed up to one million of innocent Turkish and Azerbaijani civilians, ruined hundreds of civil settlements, ancient historical monuments, cemeteries and tried to destroy all the signs of Turkish presence on that territory.

The Armenian nationalists perpetrated cruel massacre against the civilians in 1905-1907 in Iravan and Zangazur (nowadays territory of the Republic of Armenia), Tiflis, Baku, Nakhchivan, Ganja, Karabakh, in 1914 in the Eastern Anatolia – Arzurum, Kars, Ardahan, Adana, in 1918-1920 in Baku, Shamakhi, Guba, Mugan and Lankaran. On 31 March 1918 in the city of Baku, the capital of Azerbaijan, over 30,000 civilians were killed within one day. It is surprising and regretful that today the Parliament of France shuts its eyes to these facts while intending to evaluate the history.

Hostile policy towards Azerbaijan was also continued during the Soviet period. Thus with the support of pro-Armenian leadership of the USSR about half million of Azerbaijanis were deported or expelled from Armenia in 1948-1953 and 1988-1989, hundreds of them were killed on the grounds of their ethnic belonging.

The Senate of France is aware of the fact that as a result of the aggressive war and the policy of ethnic cleansing conducted in 1988 with intention to annex by the use of force the Nagorno-Karabakh region of Azerbaijan and join it to Armenia, 20 percent of the territory of Azerbaijan has

been occupied, one million of Azerbaijanis have been forcibly displaced from the territory of Armenia and their home places at the occupied territories of Azerbaijan. Over 18 thousand of Azerbaijanis were killed, 20 thousand of civilians injured, 50 thousand of people became disabled, 4 thousand persons disappeared or taken hostage, 877 towns, villages and districts were plundered, destroyed and burned.

The fact of accepting by the Senate of France of the Armenian nationalists' claims, related to the beginning of the XX century, and shutting at the same time its eyes to the current aggressive war, genocide and policy of ethnic cleansing perpetrated by them against the people of Azerbaijan, demonstrates clearly its pro-Armenian and biased position. In order to imagine the scope and brutality of the crimes of genocide committed by the Armenian armed forces against Azerbaijanis, it is enough just to recall the tragedy, which took place in the town of Khojaly on 26 February 1992. As a result of this tragedy, which has become one of the most terrible crimes in the history of mankind, the Armenian armed forces wiped off the face of the earth the whole town, 613 Azerbaijani civilians were brutally killed, including 63 children and 106 women, 487 people disabled 1,275 persons, including elderly people, children and women, taken hostage and subjected to terrible tortures, degradation and insults.

Despite the fact that the significant part of its territory is under occupation and one out of every eight people of its population is a refugee and living in tent camps in severe conditions, Azerbaijan is committed to eliminate peacefully the consequences of the aggression perpetrated by the Republic of Armenia. As it is known, with the purpose to settle the Armenian-Azerbaijani conflict in 1994 already a conflict resolution mechanism was established by the OSCE Minsk Group and its co-chairmanship. At present, France, side by side with the United Nations of America and the Russian Federation, is one of the co-chairmen of the Minsk Group. We very much hope for the objective position and balanced policy of France in regard to the just settlement of the conflict on the basis of the generally accepted norms of international law, including those related to observance of territorial integrity of states.

Unfortunately, while we were expecting the measures to be taken by France in order to contribute the efforts purposed to the settlement of the Armenian-Azerbaijani conflict, the legislative body of this country, given in to the false propaganda of the Armenian chauvinists, has decided to adopt a law, which may cause an increase of tension between the nations and is far away from the historical truth. Adoption of the law by the Senate of France on the so-called «Armenian genocide» and its approval by the President of France cause a serious doubts towards objectivity of the France's position in its capacity of co-chairman of the Minsk Group and reduce our hopes with respect to the activity of this group.

Nevertheless, we are confident that the adoption of such a law does not express the opinion of the people of France in general, as well as the majority of the members of the parliament of France. Participation of 50 members out of 300 of the Senate of France in the meeting, at which the above-mentioned law has been adopted, is a proof of that. However, in all cases these are the historians who should deal with the history, as the parliament is not a body to pass decisions on historical events happened long ago. It is a subject of scientific research.

As it is known, in accordance with United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, genocide is defined as a crime violating the norms of international law and it is the competence of the International Court to satisfy suits in defining responsibility of any state for committing this crime. In that case the decision of the Senate of France to take upon a role of an international judge should be considered in itself as a violation of

the international legal norms and creation of a ground for interference into internal affairs of other states.

Expressing its deep concern over the fact that the falsification about the «Armenian genocide», used as a means of propaganda by certain circles of the Armenian nationalists and their supporters in order to achieve their malicious political goals, has got an access to the Parliament of France, the Milli Majlis of the Republic of Azerbaijan makes note that this so-called law, which will hamper the efforts to establish peace and stability in the region of Caucasus, can not cause any legal consequences. Expressing the will of the people of Azerbaijan, the parliament of Azerbaijan strongly protests against the adoption in the Senate of France of the unjust law on recognition of the so-called «Armenian genocide» and states to the world community that the information circulated about the «Armenian genocide» does not correspond to the facts.

Baku, 2 February 2001

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